

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 11, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LISA O.,¹

Plaintiff,

v.

LELAND DUDEK, Acting
Commissioner of Social Security,

Defendant.

No. 2:24-cv-00404-EFS

**ORDER GRANTING THE
PARTIES' STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g)**

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is entitled to reasonable attorney fees

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

1 and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d),
2 upon proper request to the Court.
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4 Consistent with the parties' agreement, **IT IS HEREBY**
5 **ORDERED:**

6 1. The parties' Stipulated Motion for Remand, **ECF No. 13**, is
7 **GRANTED.**

8 2. This matter is **REVERSED** and **REMANDED** to the
9 Commissioner of Social Security for further administrative
10 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

11 On remand, the Appeals Council is to instruct the ALJ to:
12 reevaluate step two and whether Plaintiff had any severe
13 mental impairments; reevaluate the State agency
14 psychological consultants' prior administrative findings
15 that Plaintiff's mental impairment were severe; continue
16 the sequential evaluation, including reevaluating the
17 residual functional capacity finding and obtaining
18 vocational expert testimony, as necessary; and offer
19 Plaintiff the opportunity to submit additional evidence and
20 another hearing, take further action to complete the
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1 administrative record resolving the above issues, offer a
2 hearing, and issue a new decision.
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- 4 3. The Clerk's Office shall **TERM** the hearing and Plaintiff's
5 brief, **ECF No. 8**, enter **JUDGMENT** in favor of Plaintiff,
6 and **CLOSE** the case.

7 **IT IS SO ORDERED.** The Clerk's Office is directed to enter
8 this Order and provide copies to all counsel.
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10 **DATED** this 11th day of April 2025.

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12 EDWARD F. SHEA
13 Senior United States District Judge
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